

REMARKS

In light of the above amendatory matter and remarks to follow, reconsideration and allowance of this application are respectfully solicited.

In the Office Action under reply, U.S. Published Application 2002/0191950 (Wang) was combined with U.S. Patent 6,760,536 (Amir) to reject claims 1, 2, 5-8, 10, 11, 14-17, 19-21, 24-26, 29-31, 35-37, 41-43, 55, 59-62, 64-65, 69-72, 74 and 75. U.S. Patent 7,013,477 (Nakamura) was added to this combination to reject claims 4, 13, 23, 28, 34, 40, 58 and 68. The Wang-Amir combination was further combined with U.S. Patent 6,434,746 (Nagashima) to reject claims 9, 18, 44, 45, 48-50, 53 and 54; and the Wang-Amir-Nagashima combination was additionally combined with Nakamura to reject claims 47 and 52. This is the very same rejection as in the previous Office Actions of April 27 and November 20, 2009. As before, no claims are allowed.

Of the rejected claims, claims 1, 10, 19, 20, 25, 30, 31, 37, 43, 44, 49, 54, 55, 65 and 75 are independent. To expedite the successful prosecution of the present application, these independent claims are amended to make explicit the fact that the predetermined range of reproduction speeds that is permitted includes a maximum speed that is greater than the reference frame rate (i.e. greater than the normal playback speed) that cannot be overridden, thereby permitting the user to reproduce the predetermined content at a fast speed, while inhibiting the user from exceeding the maximum speed at the top end of the range. As before, these claims also point out how the image data is reproduced at a user-selected reproduction speed and the constraints upon that reproduction speed. It is respectfully submitted these independent claims, together with those claims dependent thereon, are patentably distinct over Wang, Amir, Nakamura and Nagashima, taken alone or in combination.

Wang is directed to a technique that disables a "skipping function" when playing back recorded television programs, thereby preventing a user from "fast forwarding" or "skipping" through recorded commercials (see, for example, paragraphs [0008], [0022], [0025]-[0029] and [0072]-[0073] of Wang). Wang relies on a content classification signal to indicate the presence of a commercial.

In the Office Action under reply, claim 1 was rejected as being obvious in view of the Wang and Amir combination. In applying Wang to the claim, the Examiner asserted that Wang limits the reproduction speed of the video signal "to a recommended reproduction speed," as described in paragraphs [0028] and [0073] (emphasis added). Wang does not provide any recommendation of a reproduction speed. When Wang classifies content as a commercial, the skipping function of Wang's playback device is prevented [0028]. But, no reproduction speed is recommended either for that commercial or for any other content. Presumably, the Examiner is interpreting the commercial classification signal that prevents the playback device from skipping through the commercial as being "recommended data representing a recommended reproduction speed... to reproduce [the commercial]." But, Wang does not mention or imply the presence of "recommended data representing a recommended reproduction speed." Amir does not cure this defect of Wang.

Additionally, there is no suggestion in Wang of permitting predetermined content to be played back at a fast speed, but limiting that fast playback speed to an upper limit that is less than what the user might desire. Claim 1, however, states that the maximum speed of the predetermined range is "greater than said reference frame rate;" and this permits the user to reproduce the predetermined content (e.g. a commercial) at a fast speed within the predetermined range, while inhibiting the user from exceeding that maximum speed. Wang, however,

absolutely prevents the user from playing back a commercial at a fast speed – after all, the fast speed function is disabled. Consequently, Wang permits only the normal speed to be used when playing back the commercial. The concept of permitting the user to play back the commercial at a fast speed is the very concept that Wang prohibits. Thus, one of ordinary skill in the art, after reading and understanding Wang, would not find it obvious to reproduce predetermined content (i.e. a commercial) at a speed within a predetermined range having a top end that is a fast speed (“greater than said reference frame rate”).

Moreover, the skipping function of Wang differs from the frame skipping feature of Applicant’s claims. In Wang, the commercials present in a broadcast television program are “skipped” by fast-forwarding through those commercials. In Applicant’s claims, individual frames of image data are skipped, that is, individual frames are not played back, thereby reducing the number of frames that are reproduced; but resulting in a fast reproduction of the image data because the frames that are not skipped are played back at the normal frame rate, thereby displaying fast movement. Wang does not suggest such frame skipping to provide a fast reproduction display. Wang does not permit fast forwarding through commercials, even if such a fast forwarding is within a predetermined range.

The Examiner relied upon Amir as allegedly teaching a user-selectable fast speed "produced by skipping selected frames of said main data as a function of FR_s " and a user-selectable reproduction speed "being a slow speed produced by repeating selected frames... as a function of FR_s ." However, Amir simply describes higher playback speed for later frames within a shot. Although the playback speed is increased by skipping frames, there is no suggestion of skipping frames as a function of FR_s and there clearly is no suggestion of a user-selectable slow speed produced by repeating selected frames as a function of FR_s .

In Amir, a "shot" formed of a number of frames has less frames skipped near the beginning of the shot, while more frames are skipped near the middle or end of the shot (column 2, lines 55-59). The purpose for this speed-up at the middle of the shot is described at, for example, column 4, lines 20-31 of Amir. Amir does not include, in any information analogous to Applicant's "associated information," data that corresponds to "set frame rate data (FR_s)."

Amir's algorithm, described at column 5, lines 35-42, is not suggestive of permitting a user-selectable reproduction speed to be a fast speed "produced by skipping selected frames of said main data as a function of FR_s " or a "slow speed produced by repeating selected frames of said main data as a function of FR_s ," where $FR_s = nFR_r$, all as recited in, for example, Applicant's claim 1. While Amir skips more frames in the middle of a shot than at the beginning, he does not suggest the relationship $FR_s = nFR_r$, nor does he include data representing FR_s in "associated information."

It is respectfully submitted that one of ordinary skill in the art, after reading and understanding Wang and Amir, would not be enabled by these references to include with content data "recommended data representing a recommended reproduction speed" at which predetermined content should be reproduced; to reproduce content at a user-selectable slow speed "by repeating selected frames" of the predetermined content; or to permit the predetermined content to be reproduced at a fast speed (i.e. faster than normal speed) within a predetermined range, with the maximum speed of that range "being greater than said reference [i.e. normal] frame rate." Thus, the rejections based upon the combination of Wang and Amir should be withdrawn.

Claims 10, 19, 44, 49, 54, 55, 65 and 75 are independent and include substantially the same recitations as quoted above in connection with claim 1. Therefore, it is respectfully

submitted that these claims are patentably distinct over the cumulative teachings of Wang and Amir for those reasons discussed above. It is noted, claims 44 and 49 were rejected in view of the combination of Wang, Amir and Nagashima. It appears, however, that Nagashima was relied upon for allegedly describing editing of image data. However, those portions of Nagashima specifically relied upon by the Examiner are directed to the selection of either I, P or B frames for transmission, depending upon traffic information. There is no suggestion in Nagashima of the claimed features discussed above. Accordingly, the rejection of claims 44 and 49 should be withdrawn.

Independent claims 20, 25, 30, 31, 37 and 43 are similar to claim 1, discussed above, but do not recite inclusion of "recommended data" with the associated information. Nevertheless, these claims are patentably distinct over the combination of Wang and Amir, even if supplemented by the secondary references to Nakamura and Nagashima, because the cumulative teachings of these references do not suggest to one of ordinary skill in the art:

determining whether or not indication information indicates limitation information for limiting reproduction speed of main data to a predetermined range of reproduction speeds having a maximum speed less than a fast reproduction speed selectable by a user, said main data including image data exhibiting a reference frame rate FR_r , said indication information including set frame rate data (FR_s) representing a reproduction speed for said main data, $FR_s = nFR_r$ (n is an integer or a fraction), said user-selectable reproduction speed being a fast speed produced by skipping selected frames of said main data as a function of FR_s , and said user-selectable reproduction speed being a slow speed produced by repeating selected frames of said main data as a function of FR_s , said maximum speed of said predetermined range being greater than said reference frame rate FR_r and being set for a predetermined content of said main data and not capable of being overridden by the user-selectable fast reproduction speed...

as called for by these claims. Accordingly, the rejection of claims 20, 25, 30, 31, 37 and 43 as being obvious should be withdrawn.

All of the remaining claims depend from one of the independent claims discussed above. Since these dependent claims include all of the limitations recited by the claim from which the respective dependent claim depends, it follows that Applicant's dependent claims are patentably distinct over the cited prior art for those reasons discussed above.

Accordingly, it is respectfully submitted that all the claims remaining in this application are in condition for allowance. Early notice to this effect is respectfully solicited.

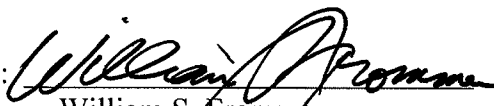
Statements appearing above in respect to the disclosures in the cited references represent the present opinions of the undersigned attorney and, in the event the Examiner disagrees with any of such opinions, it is respectfully requested that the Examiner specifically indicate those portions of the references providing the basis for a contrary view.

Please charge any additional fees that may be needed, and credit any overpayment, to our Deposit Account No. 50-0320.

Respectfully submitted,

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